

## Board of Cosmetologist Examiners

### October 01, 2012 Board Meeting

9:00am, Conference Room A, University Park Plaza  
2829 University Ave SE, Minneapolis, MN 55414

#### Present at Meeting:

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Robert Salmonson, Chair

Mary Finnegan, Member

Laurie Boggess, Member

Gina Stauss Fast, Executive Director

Michele Owen, Attorney

Billi Jo Rygg, Licensing Division Manager

Rebecca Gaspard, Compliance Division Manager

Maggie Shea, Assistant to the Executive Director

#### I. *Call to Order*

BS called the meeting to order at 9:00 am.

LB made a motion to appoint BS chair in the absence of KD, who was required to appear in court for work.

MF Seconded. 3 Ayes. 0 Nays. **Motion Carried.**

#### II. *Approval of Proposed Agenda*

LB made a motion to pass the proposed agenda with flexibility.

MF seconded. 3 Ayes. 0 Nays. **Motion Carried.**

#### III. *Approval of Minute*

GSF There is one correction that needs to be made—the statute referenced in the public comment should be '214.001' rather than '2114.001.'

LB made a motion to approve the minutes from July 16, 2012 as amended.

MF seconded. 3 Ayes. 0 Nays. **Motion Carried.**

#### IV. *Old Business*

##### A. Law and Rule Changes

GSF Presented the potential 2013 law change docket which includes: Fee Increase to Continue and Appropriation; School Expiration Date to match Salons; Change Manicurist to Nail Technician; School Manager/Instructor maintaining license; Examination – Language to include Board Approved Examinations; Reciprocity; Inspections; Hour Requirement; Online Learning; Penalties; Definitions

MF Can we look into accepting credit hours and not just clock hours?

GSF Colorado only does credit hours now.

MF made a motion to move potential law changes forward with edits and revisit again at the December meeting.

LB seconded. 3 Ayes. 0 Nays. **Motion Carried.**

RG presented progress on potential rule changes – 80 potential rule revisions have been identified and the staff will have a comprehensive list for the Board to review at the December meeting.

B. Institute for Justice

MF Made a motion to defer consideration of this agenda item to a special meeting to be held on November 05, 2012 at 9:00.

LB Seconded. 3 Ayes. 0 Nays. **Motion Carried.**

C. Purifiles

BS When I soaked them in barbicide, one of them came clean and it stayed on the other.

MF Porous and non-porous needs to stay.

MF made a motion to reaffirm the board's position on sanitizable instruments.

LB Seconded.

MO How are inspectors to determine if they have been reused?

MF You can see residue if they have been reused.

3 Ayes. 0 Nays. **Motion Carried.**

V. *New Business*

D. Waiver – Alissa Kiffmeyer Lindner (present)

GSF Alissa is requesting a waiver to the requirement that schooling must be within three years prior to gaining a license—our staff has searched for any record or evidence that she has had a license, and there isn't any. If she got her license in 2003, it would have been with the Commerce Department but they also have no records of Alissa being licensed.

MF Even if she had a license in 2008, it would have expired.

GSF What's the best way to get her licensed and working legally?

MF made a motion to grant a waiver based on hardship with the conditions that Alissa complete a 155 hour refresher course and practical exam; the exams she has passed must be valid when she applies for her license.

LB Seconded. 3 Ayes. 0 Nays. **Motion Carried.**

E. Waiver – Stephanie Monroe (present)

GSF Stephanie is licensed in South Carolina. She went to school for 1,550 hours, but the certification from the state is for 1,500 hours. This is similar to waivers the board has granted in the past.

LB made a motion to grant Ms. Monroe's waiver based on her documentation to accept transcripts in lieu of certification letter.

MF Seconded. 3 Ayes. 0 Nays. **Motion Carried.**

F. Waiver – Xuan Nguyen (not present)

GSF Xuan is requesting a waiver based on medical need to the High School Diploma/GED requirement because she has failed the GED exam and is unable to show proof of a high school diploma.

MF she sites language as the reason she failed, but for safety reasons she needs to pass the GED exam.

MF made a motion to deny the waiver because she did not establish a hardship preventing her from passing the GED.

LB Seconded. 3 Ayes. 0 Nays. **Motion Carried.**

G. Waiver – Loretta Ojala (not present)

GSF Loretta owns and operates an esthetics salon in International Falls. She thought she only needed a salon license, and let her manager's license lapse. Our inspectors found her working without a license, and she went through the complaint committee process. She needs a waiver in order to gain her manager's license and run her business.

LB made a motion to grant Ms. Ojala's waiver based on hardship to renew her salon manager's license with a late fee and to reapply for an initial salon license.

MF Seconded. 3 Ayes. 0 Nays. **Motion Carried.**

BS recessed the meeting at 10:45am.

BS reconvened the meeting at 10:53am.

H. Waiver – Lori Ribar (present)

GSF Lori is a licensed manicurist manager and completed her esthetics training more than three years and is requesting a waiver in order to gain her esthetician operator license based on medical need.

LB Made a motion to grant the waiver based on medical necessity. She does not need to retest or take a refresher course.

MF Seconded. 3 Ayes. 0 Nays. **Motion Carried.**

I. Waiver – Sarah Ribar (not present)

GSF Sarah completed her esthetics training more than three years and is requesting a waiver in order to gain her esthetician operator license based on medical need.

MF made a motion to grant the waiver based on medical need. Theory test will stand, but she must retake laws and rules.

J. Law Change Request

GSF We received a letter from a freelance cosmetologist asking the board to consider supporting a law change that would allow hours acquired outside of the salon using the special events permit to count toward renewal. The intent of the special events permit was to allow licensees to perform services outside of the salon legally—not to replace hours worked in a licensed salon.

MF How would they prove they are actually doing the work?

GSF The SEP just recently went live, so we're now sure how tracking hours would work.  
BS At this point it would be premature to seek a legislative change.

VI. *Division Reports*

Administrative Division Report – GSF presented

Compliance and Inspection Division Report – RG presented

Licensing Division Report – BJR presented

VII. *Adjournment*

BS Adjourned the meeting at 11:30am